



Clare Gilbert <clare@georgiainnocenceproject.org>

RE: Photographs by Clyde Collier/City of Rome PD [IWOV-imanage.FID389434]

Andy Davis <adavis@brinson-askew.com>

Mon, Jul 4, 2016 at 10:37 PM

To: Clare Gilbert <clare@georgiainnocenceproject.org>, Celia Robinson <crobinson@brinson-askew.com>

Cc: Sam Lucas <slucas@brinson-askew.com>, Mark Tison <mtison@romepolice.com>

Dear Ms. Gilbert:

If Mr. Collier cannot produce the photographs, then the City of Rome and Floyd County cannot produce them either. Please let us know how your discussions progress with Mr. Collier. If you have met with him, then I am sure you have seen his appearance of lack of organized files.

Thank you,

Andy

J. Anderson Davis

P.O. Box 5007 | 615 West First Street | Rome, GA 30162-5007

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From: Clare Gilbert [mailto:clare@georgiainnocenceproject.org]

Sent: Sunday, July 03, 2016 1:17 PM
To: Celia Robinson
Cc: Andy Davis
Subject: Re: Photographs by Clyde Collier/City of Rome PD

Dear Mr. Davis and Ms. Robinson,

Thank you for this letter.

We simply are searching for the entirety of the photographs taken by Clyde Collier that night for the Rome Police Department of the accident scene at Hwy 27 S.

We have had no success petitioning Mr. Collier directly for the photos. We have called him well over a dozen times, left numerous messages, spoken with him over the phone at least half a dozen times, and visited him at his studio in early May 2016 when he said he and his assistant were still looking for the photos but have determined they were not digital. He anticipated he would have something in the near future and promised to be in touch with me. I have heard nothing, left a voicemail for him and been by his studio again since since with no success (no one was at the studio).

It was actually then Captain Webber with the Rome Police Department who 1) (along with several other people) said Clyde Collier routinely takes about 100 photos of crime / accident scenes and 2) suggested we contact Mr. Collier to try to get the entirety of the photos since the DA, RPD and FCPD no longer appeared to have all of the photos. RPD in fact no longer has any crime scene photos because they gave them all to FCPD when FCPD took over the investigation in this case.

Regardless of how the City of Rome and County of Floyd have chosen to pay Mr. Collier, it is clear that he is performing work at the request and direction of the police. In this particular instance, for example, the Rome Police Department contacted 911 dispatch and instructed dispatch to have Mr. Collier report to the scene to take the accident / crime scene photographs. I'm attaching the dispatch log, along with documentation that Unit 59 was assigned to the accident about which we are seeking photos.

Mr. Collier was paid for that work by the City. We have been told by various police officers that the Mr. Collier typically does the bulk of accident / crime scene related photographs for both Floyd Co. and Rome PD and has for well over a decade.

Today I will try one more time, at your suggestion, to get the photographs directly from Mr. Collier. I have sent him a copy of the ORR you received, but I will also call him again and leave another voicemail.

Presuming my attempt is unsuccessful, I am willing to go ahead and try to formally establish that Mr. Collier is indeed acting as a contractor / agent for the City and County as far as the reaches of the ORA are concerned, but I really hope that is not necessary and that you will instead contact Mr. Collier and encourage him to let us view the photographs. Establishing the relationship would involve ORRs to the the City and County police departments and budget offices and to FC E911 to establish all the dispatch calls to Mr. Collier over the last decade and all of the payments paid to Mr. Collier by the government for his services.

We are requesting these photographs in the context of an investigation we are conducting into the claim of innocence by our client Joseph Samuel Watkins.

Thank you for any help you are willing to provide.

Respectfully,

Clare Gilbert

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Clare Gilbert
Senior Attorney / Interim Director

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On Fri, Jul 1, 2016 at 11:53 AM, Celia Robinson <crobinson@brinson-askew.com> wrote:

Re: Photographs by Clyde Collier/ City of Rome PD

Ms. Gilbert:

Attached is correspondence from Mr. Davis in the above-referenced matter.

Kind regards.

Celia

Celia M. Robinson

Paralegal

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